

**CLERK'S SUMMARY AND OFFICIAL MINUTES**  
**MIAMI-DADE COUNTY**  
**MAYOR'S MENTAL HEALTH**  
**TASK FORCE MEETING**  
**NOVEMBER 10, 2005**

The Mayor's Mental Health Task Force (MMHTF) met at Miami-Dade College, Wolfson Campus, Building 3, Second Floor, Room 3208-9, 300 NE 2 Avenue, Miami, Florida 33132 at 5:29 p.m. on November 10, 2005, there being present Honorable Steve Leifman, Co-Chairman, MMHTF; Co-Chairman Jack Lowell, MMHTF; Co-Chairwoman Silvia Quintana, MMHTF and Task Force members Mr. Richard B. Adams, Jr.; Captain Sebastian Aguirre, representing Chief John Timoney, City of Miami Police Department; Dr. Scott W. Allen, representing Miami-Dade Police Department Director Robert Parker; Ms. Cynthia Baldwin; Ms. Gilda Baldwin; Ronald L. Book, Esq.; Dr. Dan Brady; Ms. Cheryl Brantley; Mr. Mark Buchbinder; Ms. Patricia Cawley, representing Brother Majella Marchand; Assistant County Attorney Valda Clark Christian; Mr. Tim Coffey; Ms. Rebecca Cox, representing the Honorable Bennett Brummer; Ms. Teresa Descilo; Mr. H. Scott Fingerhutt, representing Mr. John Thornton, Jr.; Mr. Joseph P. George, Jr.; Mr. Bruce Hayden; Chief Assistant State Attorney Don Horn, representing the Honorable Katherine Fernandez Rundle; Deputy County Manager Pete Hernandez, representing Miami-Dade County Manager George Burgess; Captain Kathy Katerman, representing Chief Linda Loizzo, Dade County Association of Chiefs of Police; Ms. Janet Krop; Honorable Cindy S. Lederman; Dr. Charles LoPiccolo; Miami-Dade County Corrections and Rehabilitation Department Director Charles McRay; Anders Madsen, Esq., representing the Honorable Maria Korvick; Menachem Mayber, Esq., representing Honorable Jeffrey Rosinek; Ms. Linda Moscona, representing Mr. Robert Ward; Mr. David Raymond; Ms. Judith Robinson; Ms. Nadia Salibi, representing Ms. Sonya Albury; Ms. Diana Salinas, representing Mr. Stuart Podolnick; Miami-Dade County Commissioner Katy Sorenson; Ms. Wansley Walters; Mr. Wilson Washington; Ms. Carolyn Wilson; and Deputy Clerk Judy Marsh.

The following staff members from the Office of the Mayor were present: Mr. Juan Carlos del Valle, Assistant Director for Policy; Ms. Marylin Rey, Special Projects Coordinator; Ms. Maria Robau, Project Manager, Mayor's Mental Health Task Force and Ms. Elinette Garcia-Navarro, Project Coordinator of Advance for the Mayor's Mental Health Task Force.

**1. Welcome and Introductions**

Honorable Steve Leifman, Chairman, Miami-Dade County Mayor's Mental Health Task Force, and Associate Administrative Judge, 11<sup>th</sup> Judicial District of Florida, called the meeting to order at 5:29 p.m. He thanked the Task Force Subcommittee chairs and the Executive Committee members for meeting subsequent to the last Task Force meeting.

The Task Force members introduced themselves.

## **II. Approval of Minutes**

Ms. Nadia Salibi and Commissioner Sorenson noted their names were omitted from the minutes of the October 6, 2005 Task Force meeting.

The Task Force members by motion duly made, seconded and carried, approved the minutes of the October 6, 2005 Mayor's Mental Health Task Force meeting.

## **III. Jail Tour Update**

Judge Leifman thanked Miami-Dade County Corrections and Rehabilitation Department Director Charles McRay for facilitating a tour of the Dade County Jail. He advised the next jail tour was scheduled for November 29, 2005 at 1:00 p.m. and he requested those Task Force members planning to participate in the tour contact Ms. Maria Robau in the Mayor's Office at (305) 375-5071. Judge Leifman indicated Mayor Carlos Alvarez would also participate in the tour.

Director McRay pointed out that Task Force members would have an opportunity to tour the jail facilities in the future.

## **IV. Subcommittee Activities, Objectives & Assignment Preferences**

Judge Leifman provided an overview of the activities/objectives to be achieved by the Task Force's subcommittees pursuant to the tasks recommended in the Miami-Dade County Grand Jury Report entitled: "Mental Illness and the Criminal Justice System: A Recipe for Disaster/A Prescription for Improvement." He noted the subcommittees comprised the Criminal Mental Health Project Subcommittee, the Mental Health Diversion Facility Subcommittee, the Baker Act/Involuntary Outpatient Placement Subcommittee and the Mental Health Care Finance, Sustainability & Policy Subcommittee.

Judge Leifman advised the Mental Health Diversion Facility Subcommittee was responsible for the potential acquisition of the South Florida Evaluation Treatment Center which would be vacated in 2008. The Treatment Center, he said, would be upgraded to include a short-term residential treatment facility and a crisis stabilization unit for inmates with mental illnesses who were awaiting trial.

Judge Leifman said individuals wishing to serve on the subcommittees were not required to be members of the Task Force; however, he encouraged the participation of Task Force members. He noted the Task Force Executive Committee would meet regularly to coordinate the work of the subcommittees and that recommendations made by the subcommittees would be implemented via a signed document by the Task Force.

Judge Leifman requested the Task Force members provide Mr. Tim Coffey, Mr. Juan Carlos del Valle, Ms. Maria Robau or Ms. Marilyn Rey with the names of individuals wishing to serve on the subcommittees. He noted the subcommittee meetings had to be publicly noticed and appropriately scheduled to allow public input. Judge Leifman suggested the subcommittees hold an initial organizational meeting to determine their schedules. He asked that each Task Force member indicate their preference for subcommittee assignments on the assignment sheets distributed during tonight's (11/10) meeting and return the sheets to Ms. Robau.

## **V. Other Task Force Items**

None Presented

Upon conclusion of the foregoing, the Task Force proceeded with the public hearing portion of tonight's meeting.

## **VI. Public Hearing:**

### **A. Description of the Problem, Gaps in the System and Unintended Consequences**

Judge Leifman provided an overview of the adult criminal mental health system. He noted Miami-Dade County is home to the highest percentage of individuals with mental illnesses of any urban area within the United States; and as a result of inadequate funding, treatment and lack of continuing care, the jails had become the receiving facilities for these individuals. Judge Leifman pointed out that the City of Miami's Crisis Intervention Team (CIT) Program had proven successful because police officers were specially trained to identify individuals with mental illnesses and to defuse situations and divert these individuals to a crisis stabilization unit versus jail. He noted he was excited that Miami-Dade County was participating in this Program, and expressed appreciation to Chief Assistant State Attorney Don Horn for empanelling the Miami-Dade Grand Jury to address concerns regarding the criminalization of mental health.

Judge Leifman noted the Honorable Cindy S. Lederman would make a presentation on the children's issues at the next Task Force meeting.

### **B. Presentation of Miami-Dade County Grand Jury Report**

Chief Assistant State Attorney Don Horn thanked Judge Leifman for his comments. He provided an overview of the Miami-Dade Grand Jury's Final Report entitled "Mental Illness and the Criminal Justice System: A Recipe for Disaster/A Prescription for Improvement" issued on January 11, 2005. Mr. Horn discussed issues involving individuals with mental illnesses in the criminal justice system, as well as police interaction involving people with mental illnesses.

Judge Leifman noted the Task Force had decided not to address the use of Tasers (stun guns) by police officers as this issue was being addressed by the Miami-Dade Board of County Commissioners.

Mr. Horn summarized the recommendations of the Grand Jury Report as follows:

1. CIT training for all correctional officers who work on floors housing inmates with mental illnesses;
2. the Department of Corrections and Rehabilitation seek and award pay incentives to correctional officers who elect to serve their shifts working on the floors housing inmates with mental illnesses;
3. State and local governmental officials, in conjunction with the persons, agencies and entities involved in mental health issues, work collaboratively and expeditiously to construct a facility that can be used to house, treat and provide social services in one location to inmates with mental illnesses who are in custody awaiting trial;
4. more doctors and social workers be assigned to work in all local pre-trial detention facilities pending construction of the facility referred to in Recommendation No. 3;
5. State legislature provide funding for the Baker Act reform bill;
6. State legislature provide funding to increase the number of community-based mental health facilities, thereby increasing the number and level of services available to people with mental illnesses within the State of Florida;
7. State legislature provide adequate funding for long-term care, which will result in the creation of case management workers who can assist people with mental illnesses in maintaining a stable lifestyle;
8. State/local government officials provide funding and/or matching dollars to assist in the expansion of the Eleventh Judicial Circuit of Florida Criminal Mental Health Project and its Jail Diversion Program;
9. every police department in Miami-Dade County create Crisis Intervention Teams with its uniformed officers;
10. police departments continue with the deployment of Tasers to its officers and that the officers receive adequate training on proper use of Tasers;
11. all police departments in Miami-Dade County that issue Tasers to its officers adopt policies and procedures that require, at a minimum: documentation and/or reports of every discharge of a Taser, random testing to ensure that officers are documenting all discharges of their Tasers, severe discipline for any officer who inappropriately uses his Taser or engages in abusive behavior with the Taser and specified guidelines on target populations for whom Tasers should not be used; and
12. area residents who call 911 after observing a family member, friend, loved one or stranger in crisis, inform the dispatcher that the call involves an individual with mental illness, provide the dispatcher with pertinent information on the

individual's medical background; and request that a Crisis Intervention Team member be dispatched to the scene.

Judge Leifman thanked Mr. Horn for his continued efforts along with the efforts of the Miami-Dade County Grand Jury.

Responding to Ms. Judith Robinson, President, National Alliance for the Mentally Ill of Miami (NAMI), Judge Leifman advised that County Court judges did not have jurisdiction to involuntarily hospitalize misdemeanor offenders. He noted the County Court's only option for misdemeanor offenders deemed incompetent to stand trial was to release those persons back to the community under a Conditional Release. This prompted the establishment of the Jail Diversion Program, Judge Leifman said, whereby the misdemeanor population was sent to a Crisis Stabilization Unit (CSU). He suggested this issue be addressed by the appropriate subcommittee. Responding further to Ms. Robinson, Judge Leifman advised that the Dade County Jail is ill-equipped to provide appropriate levels of psychiatric care to defendants with mental illnesses; however, he felt this need would be addressed by the proposed diversion facility.

In response to Mr. Ronald Book, member, Miami-Dade County Homeless Trust, Mr. David Raymond, Executive Director, Miami-Dade County Homeless Trust, said the utilization rate of beds in the public CSUs was approximately eighty (80%) percent.

Judge Leifman noted the beds in the public CSUs were not being appropriately utilized.

Mr. Daniel Brady, Executive Director, Douglas Gardens Community Mental Health Center, commented on the issues involved with the utilization of patient beds. He further noted that the primary long-term need was the provision of affordable housing for individuals with chronic mental illnesses once they were stabilized.

Responding to Mr. Book, Judge Leifman said the community mental health system was in distress. He referred to the high success rate of the Shelter Plus Care model and noted that individuals with mental illnesses who were arrested should be diverted to a CSU and subsequently transferred to a short-term residential facility where their medication and other benefits would be provided.

Mr. Book suggested that at the next Task Force meeting, the members discuss the Housing First model. He noted the affordable housing component should be addressed in conjunction with the development of a mental health diversion facility and programs for defendants with mental illnesses.

Ms. Robinson noted not all individuals with mental illnesses were homeless and each patient should be handled differently. She noted long term health care or choices of treatment were not available for these individuals.

Co-chairman Jack Lowell noted the transitional housing proposed for individuals with mental illnesses was similar to the Homeless Trust model in that assessments were

conducted to identify the need for temporary, transitional housing facilities before these individuals were released into the general population. He said he felt the Task Force should follow the Homeless Trust model.

Mr. Raymond suggested that the Task Force seek assistance from other groups that had developed best practice models to address affordable housing for people with mental illnesses.

Judge Leifman concurred with Mr. Raymond's suggestion and noted the Task Force would seek technical support from the Florida Mental Health Institute. He also concurred with Ms. Robinson's comments and emphasized the need for treatment to be prescribed for patients with mental illnesses based on the nature of their illness. Judge Leifman suggested that the additional recommendations listed in the document entitled "Sub-Committee Tasks" distributed at tonight's (11/10) meeting be incorporated as a part of the Task Force's recommendations.

### **C. Public Comment**

Judge Leifman announced that the Task Force meeting was open for public participation.

Mr. John Kowal appeared before the Task Force and commented on the systemic problems associated with treating mental illness in Miami-Dade County. He offered to serve on one of the subcommittees.

Mr. Julio Ortiz Fuentes, representing SSI Ticket to Work, appeared before the Task Force. He noted he was speaking on behalf of himself and persons with mental illnesses. Mr. Fuentes expressed concern regarding the cost of medications and the difficulties in finding affordable housing. He questioned the Ticket to Work Program.

Ms. Sylvia Quintana, Co-Chairwoman, MMHT and Supervisor, Substance Abuse & Mental Health Program, District 11, Florida Department of Children and Families (DCF), advised Mr. Fuentes that an employment work group was in the process of identifying some of the barriers faced by people with mental illnesses in finding work. She invited Mr. Fuentes to assist the work group with the employment initiatives underway in District 11. The work group was comprised of providers whose primary concern was to find work for their clients as well as consumers who were attempting to identify their clients' needs/barriers through surveys, Ms. Quintana noted.

Co-chairman Lowell suggested a representative from Goodwill Industries be appointed to the Task Force because that organization had been successful in finding work for people with mental illnesses in this community. Referring to Mr. Fuente's comments regarding his housing situation, Mr. Lowell noted the waiting list for public housing for this population was long.

Judge Leifman thanked Mr. Fuentes for his comments and noted the information regarding his housing application would be forwarded to the County's housing

department. He asked that Mr. Fuentes provide staff with his name and telephone number.

Mr. Mark Zimmer, member, NAMI, appeared before the Task Force. He noted he was speaking on his own behalf. Mr. Zimmer spoke in opposition to the Medicaid formulary which denies certain psychotropic medications to patients.

Mr. Daniel Brady said it was important that agencies such as NAMI, work with the public to ensure that people eligible for Medicare and Medicaid understood the benefit packages available in Medicare Part “D” and the potential for serious problems in terms of access to medication.

Ms. Judith Robinson concurred with Mr. Brady and cautioned her colleagues to be aware that most of the consumers would be unable to understand the benefits package available to them without assistance.

Dr. Leo Mesa, Jr., President and Chief Executive Officer, Reflections Wellness Center, appeared before the Task Force. He thanked the Task Force members for their participation and thanked Judge Leifman for his leadership and passion in addressing mental health issues. Dr. Mesa emphasized the importance of treatment versus hospitalization.

Mr. Bill Ploss appeared before the Task Force. He spoke in support of the Marchman Act, which he noted provided for involuntary treatment for substance abuse. He said individuals subject to this Act would be handled confidentially through civil versus criminal proceeding, however, he noted the Marchman Act was under-utilized.

Mr. Joseph George, invited Mr. Ploss to participate on one of the Task Force’s subcommittees.

Ms. Robinson noted those providers who facilitated support groups taught their constituents how to utilize the Marchman Act, however, she noted there was a distinction between the Baker Act and the Marchman Act, which was applicable to people with co-occurring disorders.

Judge Leifman noted the Crisis Intervention Team (CIT) officers and family members were taught how to utilize the Marchman Act.

Ms. Quintana pointed out that co-occurring substance abuse and mental health disorders were being addressed through the Department of Children and Families’ Co-Occurring Initiative.

Judge Leifman requested that an awareness of the Marchman Act be included in the community education and public relations initiatives to be conducted by the subcommittees.

Mr. Brady suggested that at the next Task Force meeting representative(s) from the Public Defender's Office discuss the difficulties they observed in the proceedings relating to the Baker Act reform. Judge Leifman suggested the Task Force form a panel to discuss this reform.

Judge Leifman reminded the Task Force members to indicate their preference for subcommittee assignments on the form distributed.

## **VII. Adjournment**

There being no further business to come before the Task Force, the meeting was adjourned at 7:26 p.m.

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Honorable Steve Leifman, Co-Chairman  
Mayor's Mental Health Task Force